

COLLEGE STUDENT AID COMMISSION[283]

Adopted and Filed

Rule making related to health care award program

The College Student Aid Commission hereby amends Chapter 26, “Health Care Loan Repayment Program,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code section 261.3.

State or Federal Law Implemented

This rule making implements, in whole or in part, 2022 Iowa Acts, Senate File 2383.

Purpose and Summary

This rule making implements amendments enacted in 2022 Iowa Acts, Senate File 2383. Senate File 2383 changed the Health Care Loan Repayment Program to the Health Care Award Program, removing the requirement for applicants to have federal student loan debt. The legislation also allowed a part-time nurse educator to qualify for an award if the individual is also employed as a registered nurse or advanced registered nurse practitioner. In addition, this rule making prioritizes awards to Iowa residents or members of the Iowa National Guard who are in their final year of study, in an attempt to incentivize newly trained individuals to become employed in the identified occupations in service commitment areas.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on October 19, 2022, as ARC 6598C. No public comments were received. No changes from the Notice have been made.

Adoption of Rule Making

This rule making was adopted by the Commission on January 20, 2023.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any, pursuant to 283—Chapter 7.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s

meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on March 15, 2023.

The following rule-making actions are adopted:

ITEM 1. Amend **283—Chapter 26**, title, as follows:

HEALTH CARE LOAN REPAYMENT AWARD PROGRAM

ITEM 2. Amend rule 283—26.1(261) as follows:

283—26.1(261) Health care loan repayment award program. The health care loan repayment award program is a state-supported and state-administered program established to ~~repay the qualified student loans of~~ provide financial awards to nurse educators teaching at eligible Iowa colleges and universities, as well as applicants who agree to practice as registered nurses, advanced registered nurse practitioners, or physician assistants in service commitment areas for five consecutive years, and who meet the requirements of these rules.

ITEM 3. Amend rule **283—26.2(261)**, definitions of “Advanced registered nurse practitioner,” “Physician assistant,” “Registered nurse” and “Service commitment area,” as follows:

“*Advanced registered nurse practitioner*” means an individual who graduated from an accredited graduate or postgraduate advanced practice educational program, is licensed by the board of nursing as a registered nurse, is licensed by the board of nursing as an advanced registered nurse practitioner, and is employed as an advanced registered nurse practitioner ~~in an eligible service commitment area~~.

“*Physician assistant*” means an individual who graduated with a master’s degree, holds a practitioner’s license to practice as a physician assistant pursuant to Iowa Code chapter 148C, and is employed as a physician assistant ~~in an eligible service commitment area~~.

“*Registered nurse*” means a nurse who is licensed by the board of nursing as a registered nurse and is employed as a registered nurse ~~in an eligible service commitment area~~.

“*Service commitment area*” means a city in Iowa with a population of less than 26,000 that is located more than 20 miles from a city with a population of 50,000 or more. Locations and distances between cities will be consistently measured and verified by calculating the shortest travel distance on paved roads. After an eligible applicant signs an agreement to practice in a service commitment area, subsequent population increases will not impact that applicant’s continued eligibility for the program, to the extent allowed in rule 283—26.3(261).

ITEM 4. Rescind the definition of “Qualified student loan” in rule **283—26.2(261)**.

ITEM 5. Amend rule 283—26.3(261) as follows:

283—26.3(261) Eligibility requirements.

26.3(1) An eligible applicant must be:

a. A student in the final year of a degree program leading to a license to practice as an advanced registered nurse practitioner, ~~nurse educator~~, physician assistant, or registered nurse. who signs an agreement to practice in a service commitment area for five consecutive years; or

b. A licensed advanced registered nurse practitioner, physician assistant, or registered nurse who signs an agreement to practice in a service commitment area for five consecutive years; or

c. A nurse educator who signs an agreement to teach full-time during the fall and spring semesters, or the equivalent, for five consecutive years; or

d. A nurse educator who teaches at least part-time during the fall and spring semesters, or the equivalent. The individual must also be employed as an advanced registered nurse practitioner or registered nurse in Iowa, and the total hours worked between these occupations must equate to full-time employment. An advanced registered nurse practitioner or registered nurse who signs an agreement to

teach at least part-time as a nurse educator is not required to be employed in a service commitment area but is required to work at least part-time as a nurse educator for five consecutive years.

26.3(2) An eligible applicant must ~~annually~~ complete and file an application for the program by the deadline established by the commission. If funds remain available after the application deadline, the commission will continue to accept applications.

26.3(3) An eligible applicant must annually complete and return to the commission an affidavit of practice verifying full-time employment, as defined by the employer, in a service commitment area during the entire year as an advanced registered nurse practitioner, physician assistant, or registered nurse, or full-time employment, as defined by the employer, as a nurse educator. A nurse educator who teaches part-time during the fall and spring semesters, or the equivalent, and is also employed as a registered nurse or advanced registered nurse practitioner in Iowa must annually complete and return an affidavit of practice verifying that the total hours worked equates to full-time employment.

ITEM 6. Amend rule 283—26.4(261) as follows:

283—26.4(261) Awarding of funds.

26.4(1) Selection criteria. All completed applications received on or before the published deadline will be considered for funding. To the extent possible, an equal number of new advanced registered nurse practitioners, nurse educators, physician assistants, and registered nurses will be offered awards based on the availability of appropriated funds. In the event that funding is insufficient to award all eligible applicants within an occupation category, criteria for selection of eligible applicants within each occupation category will be prioritized as follows:

a. ~~Renewal status. Recipients of awards through the registered nurse and nurse educator loan forgiveness program during the 2018 state fiscal year will be eligible for funding under the health care loan repayment program if the eligible applicants meet the eligibility criteria of the health care loan repayment program. Under this provision, no recipient will receive more than five consecutive awards between the registered nurse and nurse educator loan forgiveness program and the health care loan repayment program; The priority status of the applicant in the first year funding is received will be retained for renewal in priority determinations in future years as long as the applicant continues to meet the criteria in rule 283—26.3(261). Applicants within this category are prioritized as follows:~~

~~(1) Eligible applicants who are Iowa residents and eligible applicants who are members of the Iowa national guard, if requested by the adjutant general;~~

~~(2) Date of application;~~

b. ~~Iowa residency status~~ Students in the final year of a degree program leading to a license to practice in a specified occupation under this chapter who are Iowa residents or who are members of the Iowa national guard, if requested by the adjutant general; and advanced registered nurse practitioners and registered nurses who agree to begin practice as nurse educators on at least a part-time basis and who are Iowa residents or members of the Iowa national guard, if requested by the adjutant general. Applicants within this category are prioritized by date of application;

c. ~~Members~~ Iowa residents or members of the Iowa national guard, if requested by the adjutant general, who are licensed to practice in a specified occupation under this chapter and who agree to work in a service commitment area but who are not employed in a service commitment area at the time of application. Applicants within this category are prioritized by date of application;

~~(1) Members of the Iowa national guard are exempt from the service commitment area requirement, and~~

~~(2) Members of the Iowa national guard must have satisfactorily completed required guard training and must maintain satisfactory performance of guard duty;~~

d. ~~Date of application.~~ The most recent graduates of a degree program leading to a license to practice in a specified occupation under this chapter or leading to the qualification to be a nurse educator, with the most recent academic year graduates given priority, who are Iowa residents or members of the Iowa national guard, if requested by the adjutant general. Applicants within this category are prioritized by date of application;

e. Students in the final year of a degree program leading to a license to practice in a specified occupation under this chapter who are neither Iowa residents nor members of the Iowa national guard requested by the adjutant general; and advanced registered nurse practitioners and registered nurses who agree to begin practice as nurse educators on at least a part-time basis and who are neither Iowa residents nor members of the Iowa national guard requested by the adjutant general. Applicants within this category are prioritized by date of application;

f. Individuals who are neither Iowa residents nor members of the Iowa national guard requested by the adjutant general but who are licensed to practice in a specified occupation under this chapter, and who agree to work in a service commitment area but are not employed in a service commitment area at the time of application. Applicants within this category are prioritized by date of application;

g. The most recent graduates of a degree program leading to a license to practice in a specified occupation under this chapter or leading to the qualification to be a nurse educator, who are neither Iowa residents nor members of the Iowa national guard requested by the adjutant general, with the most recent academic year graduates given priority. Applicants within this category are prioritized by date of application.

26.4(2) Applicants who are members of the Iowa national guard requested by the adjutant general. Applicants who are members of the Iowa national guard, if requested by the adjutant general, are subject to the following provisions:

a. Members of the Iowa national guard are exempt from the service commitment area requirement, and

b. Members of the Iowa national guard must have satisfactorily completed required guard training and must maintain satisfactory performance of guard duty.

~~26.4(2)~~ 26.4(3) Annual award. The maximum annual award shall be the lesser of: \$6,000.

~~a. \$6,000, or~~

~~b. Twenty percent of the eligible applicant's total outstanding qualified student loan.~~

~~26.4(3)~~ 26.4(4) Extent of repayment award. Eligible applicants may receive loan repayment an award for no more than five consecutive years. Eligible applicants who fail to receive loan repayment awards in consecutive years will not be considered for subsequent years of loan repayment awards.

~~26.4(4)~~ 26.4(5) Disbursement of loan repayment funds.

~~a. Loan repayment awards~~ Awards will be disbursed upon completion of the year for which the award was approved and upon certification from the employer that the advanced registered nurse practitioner, nurse educator, physician assistant, or registered nurse was employed full-time, as defined by the employer, during the entire year and completed the year in good standing.

~~b. Loan repayment awards~~ Awards will be distributed to the eligible applicant's student loan holder and applied directly to qualified student loans directly to the eligible applicant.

ITEM 7. Amend rule 283—26.5(261) as follows:

283—26.5(261) ~~Loan repayment~~ Award cancellation.

26.5(1) An eligible applicant who has been designated for a ~~loan repayment~~ an award shall notify the commission within 30 days following termination or cessation of full-time practice in a service commitment area as an advanced registered nurse practitioner, physician assistant, or registered nurse; ~~or;~~ termination or cessation of full-time employment as a nurse educator; ~~or combined full-time employment~~ as a nurse educator and registered nurse or nurse educator and advanced registered nurse practitioner.

26.5(2) No change.

ITEM 8. Amend rule 283—26.6(261) as follows:

283—26.6(261) Restrictions. An ~~advanced registered nurse practitioner, nurse educator, physician assistant, or registered nurse who is in default on a qualified student loan or who owes a repayment on any Title IV grant assistance or state award shall be ineligible for loan repayment benefits. Eligibility may be reinstated upon payment in full of the delinquent obligation or by commission ruling on the basis of adequate extenuating evidence presented in appeal under the procedures set forth in 283—Chapters~~

~~4 and 5.~~ A recipient of an award under Iowa Code section 261.114 or 261.115 shall not be eligible for an award under this chapter.

ITEM 9. Adopt the following **new** rule 283—26.7(261) as follows:

283—26.7(261) Transition provisions. Recipients of awards through the health care loan repayment program during the 2022 state fiscal year will be eligible for funding under the health care award program if the eligible applicants meet the eligibility criteria of the health care award program. Under this provision, no recipient will receive more than five consecutive awards between the health care loan repayment program and the health care award program. Under this provision, recipients can elect to continue to have the award applied directly to previously verified outstanding federal student loans.

[Filed 1/20/23, effective 3/15/23]

[Published 2/8/23]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 2/8/23.